

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 01/05/09	NUMBER 02.03.130
SUBJECT CORRECTIVE ACTION FOR PERFORMANCE PROBLEMS	SUPERSEDES 02.03.130 (11/18/02)	
	AUTHORITY MCL 791.203; 791.206; Civil Service Commission Rule 2-3	
	ACA STANDARDS 4-4049; 4-4064; 2-CO-1C-04	
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POLICY STATEMENT:

Employee performance problems shall be addressed in a fair and objective manner, as set forth in this policy directive.

POLICY:

GENERAL INFORMATION

- A. Exclusively represented employees shall be governed by their collective bargaining unit agreement where in conflict with this policy.
- B. Employees are required to comply with Civil Service Commission rules, Department policies and procedures, and other requirements set forth in the Employee Handbook. They also are required to perform their job duties satisfactorily and maintain satisfactory attendance. Failure to do so may result in discipline for rule violations in accordance with PD 02.03.100 "Employee Discipline" or corrective action for performance problems as set forth in this policy.
- C. Supervisors shall consistently apply performance standards to all employees under their supervision. In addition, each supervisor shall conduct an annual written performance review of each employee under his/her supervision, including those employees who are or will be subject to corrective action, in accordance with Civil Service Commission Rule 2-3. The performance review shall identify whether the employee's work performance, including attendance, was satisfactory for the review period or needs improvement. It also may be used to recognize and reward an employee's outstanding performance.

CORRECTIVE ACTION FOR PERFORMANCE PROBLEMS

- D. Supervisors shall take corrective action whenever they detect a performance problem by an employee under their supervision so that the employee's work performance may be improved to an acceptable standard. However, if the performance problem appears to be caused by a need for further training or instruction, the supervisor shall take steps to ensure that the necessary training or instruction is provided prior to taking corrective action.
- E. Corrective action for performance problems shall normally progress through the following steps, as necessary:
 1. Informal verbal counseling.
 2. Written counseling, a copy of which shall be retained in the employee's Personnel file.
 3. Interim unsatisfactory service rating addressing the performance deficiencies and the action necessary to regain satisfactory status. The rating shall be documented on the Interim Employee Rating form (CS-375) and retained in the employee's Personnel file.
 4. Interim unsatisfactory service rating recommending demotion or discharge. An employee shall be demoted only when it is believed by the Administrator of the Operations Support

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Administration (OSA) or designee that the performance deficiencies would not continue in the new assignment or position. A demotion shall only be to a classification in which the employee has previously obtained status. Prior approval from the OSA Administrator or designee is required prior to discharging an employee. The performance deficiencies resulting in the recommended action shall be documented on the Interim Employee Rating form (CS-375), which shall be retained in the employee's Personnel file.

- F. Although corrective action usually progresses as set forth in Paragraph E, serious unsatisfactory performance by an employee or a specific act or omission of significant consequence committed by an employee who knew or should have known that such action or omission was inappropriate may result in action being taken outside this normal progression or in disciplinary action being taken as set forth in PD 02.03.100 "Employee Discipline". Whenever an employee's performance level warrants the issuance of an interim unsatisfactory service rating, it shall be issued only after a disciplinary conference is conducted consistent with PD 02.03.100 "Employee Discipline".
- G. An employee who disagrees with a written counseling or an interim unsatisfactory service rating s/he received may submit a written statement to be placed in his/her Personnel file with the counseling or service rating.

RETENTION OF CORRECTIVE ACTION DOCUMENTATION

- H. At the employee's request, written counseling and any written statement regarding the written counseling submitted by the employee shall be removed from the employee's Personnel file when the employee has completed one year of actual work time after the date of issuance provided the employee has not received any additional written counseling or disciplinary action, including interim unsatisfactory service ratings, during that one year period. If an employee receives additional written counseling or disciplinary action within the one year period, both the existing and new documentation shall remain in the Personnel file for the retention period of the new corrective or disciplinary action.
- I. Interim unsatisfactory service ratings and any written statement regarding the interim unsatisfactory service rating submitted by the employee shall be retained in the same manner as disciplinary action, as set forth in PD 02.03.100 "Employee Discipline".

PROCEDURES

- J. The OSA Administrator shall ensure that operating procedures are developed as necessary to implement requirements set forth in this policy directive; this shall be completed within 60 calendar days after the effective date of the policy directive. This requirement includes ensuring that their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

AUDIT ELEMENTS

- K. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

APPROVED: PLC 12/11/08